



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV 2 2004

400 Seventh St., S.W.
Washington, D.C. 20590

Mr. Glen K. Wanczyk
D & G Consulting, Inc.
3708 South Monarch Drive
Bountiful, UT 84010

Ref. No.: 04-0214

Dear Mr. Wanczyk:

This is in response to your September 10, 2004 letter requesting clarification of Competent Authority (CA) approval requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically you ask if the CA must state "air bag inflators and/or air bag modules" for a shipper to take advantage of the exception under § 173.166(d)(2).

The answer is no. Under § 173.166(d)(2) an air bag module containing an inflator that has been previously approved for transportation is not required to be submitted for further examination or approval. The shipping description on a shipping paper for an air bag module may state "Air bag module, 9, UN3268, III" even if the CA only refers to "air bag inflators" provided the air bag module contains a previously approved air bag inflator.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



040214

173.166(d)(2)

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Stevens
§173.166(d)(2)
Air Bags
04-0214

September 10, 2004

Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards

Fax: 202 366 3012

Subject: Urgent Request for U.S. Department of Transportation Interpretation

In order to obtain Competent Authority (CA) approval for "air bag inflators/air bag modules," the inflators are subjected to UN tests; however, modules are not tested. CA approval documents are, in many cases, issued as "air bag inflators" as shown in the product designation/part number section of the CA. Air bag modules, with tested inflators installed, are allowed to be shipped using the CA approval for the inflator, per 49 CFR 173.166 (d)(2).

An airfreight carrier has advised my client that the proper shipping name as shown on the shipping documents must match the name in the product designation/part number in the CA. For example, if the CA state's "air bag inflator" but if the tested and approved inflator is installed in a module, and the shipping paper states air bag module, then the airfreight company states they cannot properly allow the shipment because the CA does not specifically state air bag module.

It is my understanding that since air bag modules do not require testing, the words air bag inflator and air bag module are interchangeable as far as the CA is concerned. In this case, the shipping paper could properly state the word air bag module as well as air bag inflator even if the CA only shows air bag inflator.

Please advise if the CA must specifically state "air bag inflators and/or air bag modules" before the shipping documentation can be described in that manner or if it is permissible to ship an air bag module when the CA states "air bag inflator."

Sincerely,



Glen K. Wanczyk
Hazardous Materials Consultant